IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1 OF 1997

Jagannath Dadu Pende ...Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

Mr. S. Mahale instructed by Mr. S.S. Pakale for the Petitioner

Mr. R.D. Rane for Respondents No. 2 and 3.

CORAM: V.G. PALSHIKAR, Ag.C.J., &
D.B. BHOSALE, J.
DATE: NOVEMBER 23, 2005.

P.C.:-

1. In this case, while granting Rule in the year 1997, interim relief was granted in terms of prayer clause ©. Prayer clause © reads as under:

> "That pending the hearing and final disposal of the petition, the execution and operation of the impugned order dated 18th December 1996 issued by Respondent No. 2 be stayed and Respondent No. 2 be directed to permit the petitioner to work as

Extension Officer Class III Grade II as he has been working with admissible pay scale and all necessary benefits attached to the said post;"

2. It will, thus, be seen that the reversion of the petitioner was effected for all these years since 1997. It is also seen that during this period, the petitioner is promoted. Apart from that, all these years, the petitioner has factually functioned as Extension Officer, Class III, Grade II, and has received emoluments commensurate with the post. In the circumstances, we see no reason to vary the impugned order. The petition is disposed of in terms of prayer already granted. The respondents shall be at liberty to take appropriate action.